



General Assembly

January Session, 2013

Amendment

LCO No. 8099

HB0648708099HDO

Offered by:
REP. FOX, 146th Dist.

To: House Bill No. 6487

File No. 721

Cal. No. 501

"AN ACT CONCERNING A PROPERTY OWNER'S LIABILITY FOR THE EXPENSES OF REMOVING A FALLEN TREE OR LIMB."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) There is established a task force
4 to study the allocation of expenses among owners of private real
5 property for the cost of removing a tree or a limb from such tree that
6 falls on an adjoining private real property owner's land. Such study
7 shall include, but not be limited to: (1) A determination of the duty, if
8 any, of a private real property owner to inspect trees located on such
9 owner's land; (2) a determination of the factors establishing actual
10 notice that a tree or a limb of such tree is diseased or likely to fall,
11 including an analysis of any case law on the subject in this state; (3) a
12 determination of the feasibility and fairness of imposing liability and
13 penalties on an owner of private real property when such owner has
14 received notice that a tree or a limb of such tree located on such
15 owner's land is diseased or likely to fall, such owner fails to take steps

16 to remove or prune such tree or limb and such tree or limb falls on an
17 adjoining private real property owner's land; and (4) any insurance
18 coverages that may be required or used to cover such expenses.

19 (b) The task force shall consist of the following members:

20 (1) Two appointed by the speaker of the House of Representatives;

21 (2) Two appointed by the president pro tempore of the Senate;

22 (3) One appointed by the majority leader of the House of
23 Representatives;

24 (4) One appointed by the majority leader of the Senate;

25 (5) One appointed by the minority leader of the House of
26 Representatives; and

27 (6) One appointed by the minority leader of the Senate.

28 (c) Any member of the task force appointed under subdivision (1),
29 (2), (3), (4), (5) or (6) of subsection (b) of this section may be a member
30 of the General Assembly.

31 (d) All appointments to the task force shall be made not later than
32 thirty days after the effective date of this section. Any vacancy shall be
33 filled by the appointing authority.

34 (e) The speaker of the House of Representatives and the president
35 pro tempore of the Senate shall select the chairpersons of the task force
36 from among the members of the task force. Such chairpersons shall
37 schedule the first meeting of the task force, which shall be held not
38 later than sixty days after the effective date of this section.

39 (f) The administrative staff of the joint standing committee of the
40 General Assembly having cognizance of matters relating to the
41 judiciary shall serve as administrative staff of the task force.

42 (g) Not later than January 1, 2014, the task force shall submit a

43 report on its findings and recommendations to the joint standing
44 committee of the General Assembly having cognizance of matters
45 relating to judiciary, in accordance with the provisions of section 11-4a
46 of the general statutes. The task force shall terminate on the date that it
47 submits such report or January 1, 2014, whichever is later."

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
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